

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14430 of 2018

Chandra Narayan Singh @ Chandra Mani Singh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Respondent/s : Mr.S.C.Yadav

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-10-2022 Heard the parties.

The District Magistrate, Purnea has filed a counter affidavit saying that the power to reopen has been taken away due to the amendment and he cannot reopen the proceeding pursuant to the order dated 11.07.2007 passed by the Minister, Revenue and Land Reforms, Patna in Misc. Land Ceiling Case No. 06 of 2003.

No explanation has been given by the District Magistrate as to why no order was passed from 2007 to 2016. the District Magistrate was duty bound to act as per the order of the Minister, and now he is taking the stand that he has no power, the power of reopening has been taken away under the Act.

The learned counsel for the State submits that the proceeding can only be reopened on the orders of the this Court in the interest of justice.



The petitioner cannot be left remediless and particularly when there was already an order in his favour which has not been complied by the State for eight years. It is an admitted fact that the petitioner is a *bona-fide* purchaser and his land has been shown to be the land of the Jamindar/ Land holder.

In these circumstances, the District Magistrate, Purnea is directed to decide the objection/petition of the petitioner for excluding the land of the petitioner from the land of the land holders. The District Magistrate, Purnea will decide the Misc. Case No. 61 of 2007 within three months from the receipt/ communication of the order of this Court after hearing the petitioner and the other necessary parties.

With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

Shishir/Vikas

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